

payment of the costs of the proceedings and the execution of good and sufficient bonds, conditioned in part that they not be sold or otherwise disposed of contrary to Federal law, or the laws of any State, Territory, District or insular possession, which prohibits the use of saccharin in like products for human consumption.

W. M. JARDINE, *Secretary of Agriculture.*

15314. Adulteration of cottonseed hulls. U. S. v. 40,260 Pounds and 182,380 Pounds of Cottonseed Hulls. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21422, 21423. I. S. Nos. 8441-x, 8442-x. S. Nos. C-5252, C-5253.)

On October 15, 1926, the United States attorney for the District of Kansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels, and subsequently, amendments to the said libels, praying seizure and condemnation of 222,640 pounds of cottonseed hulls, remaining in the original freight car at Maple Hill, Kans., alleging that the article had been shipped by the Choctaw Cotton Oil Co., of Ada, Okla., in part on or about October 2, 1926, and in part on or about October 9, 1926, and had been transported in interstate commerce from Muskogee, Okla., into the State of Kansas, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated, in that it was composed in whole or in part of a filthy, decomposed, or putrid vegetable substance, and was infested with bugs.

On October 25, 1926, the Choctaw Cotton Oil Co., Ada, Okla., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$500, conditioned in part that it not be sold or offered for sale in violation of law.

W. M. JARDINE, *Secretary of Agriculture.*

15315. Misbranding of Pildoras Ovaricura, Cerebrotono, and Pildoras Ferrogenas. U. S. v. 10 Dozen Boxes of Pildoras Ovaricura, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 21717, 21718, 21719. I. S. Nos. 14514-x, 14515-x, 14518-x. S. No. E-6014.)

On March 18, 1927, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 dozen boxes of Pildoras Ovaricura, 6 dozen bottles of Cerebrotono, and 3 dozen bottles of Pildoras Ferrogenas, at Coamo, P. R., alleging that the articles were being offered for sale and sold in Porto Rico, by the Flar Medicine Co., Coamo, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the Pildoras Ovaricura consisted of pills containing iron sulphate and plant material, including aconite, aloe, ginger and cinnamon; that the Cerebrotono contained calcium, sodium, potassium, and iron glycerophosphates, plant extractives, alcohol, and water; and that the Pildoras Ferrogenas consisted of pills containing iron and potassium carbonate and sulphate comparable to Bland's pills.

It was alleged in the libel that the articles were misbranded in that the following statements regarding their curative and therapeutic effects, were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the results claimed: (Pildoras Ovaricura, box label, Spanish translated) "Ovaricura Pills * * * for combating the diseases peculiar to women;" (Pildoras Ovaricura, circular, Spanish translated) "Pills 'Ovaricura' are recommended for the treatment of these disorders whenever they are due to diseases of the womb or ovaries. Menstruation * * * Irregularities of menstruation * * * 'Ovaricura' * * * Retarded Menstruation * * * Scanty Menstruation * * * Suppressed menstruation * * * Painful menstruation * * * Profuse menstruation * * * During the critical age of women when the womb ceases to function, numerous disorders appear such as debility, noise in the ears, nervousness, paleness, headaches, insomnia, palpitation, dizziness, etc. Take 1 or 2 pills 'Ovaricura' a day. * * * Headaches in Women:—These pains may appear before or during the menstrual period * * * 'Ovaricura' Pills * * * Offer satisfactory treatment;" (Cerebrotono, carton and bottle label, English

and Spanish,) "Tonic reconstructive of the brain and nerves * * * of sure and efficient effects. Cerebrotono tonic is a powerful reconstructive of the brains and nerves. Acts as a builder of nutritive functions and as a reconstructive of failing vitality. Especially indicated for general debility, some forms of neurasthenia and sexual weakness;" (Cerebrotono, circular, Spanish translated) "Cerebrotono * * * rapid and sure effects * * * a food for the cells * * * exercises a nutritive and stimulating action over the tissues of the organism, especially over the brain and nerves. * * * is a general reconstituent which repairs and stops the organic waste, acting as vitalizer to all the tissues. * * * May be used for general debility, lack of spirit, premature weakness, certain forms of neurasthenia, phosphaturia, sexual exhaustion and in convalescence;" (Pildoras Ferrogenas, box label, Spanish translated) "Indications: Debility, Anæmia in general, Dizziness, Fatigue, Loss of Appetite and weight, Paleness, etc;" (Pildoras Ferrogenas, circular, Spanish translated) "For combating Anæmia, and all those diseases due to a watery condition of the blood, such as: Paleness—Lack of Strength—Fatigue—Noise in the ears—Palpitations—Headaches—Weakness of the legs—Lack of Spirit—General Debility—Irregularities of Menstruation due to excess or lack of it."

Misbranding of the Cerebrotono was alleged for the further reason that the label failed to bear a statement of the quantity of alcohol contained therein, whereas analysis showed that it contained 10.5 per cent of alcohol.

On June 24, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15316. Adulteration and misbranding of canned oysters. U. S. v. 750 Cases of Oysters. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 21934. I. S. No. 2680-x. S. No. C-5470.)

On May 23, 1927, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 750 cases of canned oysters, remaining in the original unbroken packages at Emporia, Kans., alleging that the article had been shipped by the Anticich Packing Co., from Biloxi, Miss., on or about March 8, 1927, and transported from the State of Mississippi into the State of Kansas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sunburst Brand Oysters Contents 5 Oz."

Adulteration of the article was alleged in substance in the libel for the reason that excessive brine had been mixed and packed therewith, so as to lower and injuriously affect its quality, purity, and strength.

Misbranding was alleged in substance in the libel for the reasons that the statement "Contents 5 Oz." borne on the label, was false and misleading, and that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 18, 1927, the Theo. Poehler Mercantile Co., Emporia, Kans., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled to show the true quantity of the contents.

W. M. JARDINE, *Secretary of Agriculture.*

15317. Misbranding of dairy feed. U. S. v. 483 Sacks, et al., of Dairy Feed. Decrees of condemnation entered. Product released under bond. (F. & D. Nos. 21905, 21906. I. S. Nos. 13367-x, 13368-x, 13372-x, 13373-x. S. No. E-6125.)

On May 6, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 743 sacks of dairy feed, remaining in the original unbroken packages in part at Gaithersburg, Md., and in part at Adamstown, Md., alleging that the article had been shipped by the Chas. A. Krause Milling Co., from Milwaukee, Wis., in various consignments, on or about January 24, February 8, and April 7, 1927, respectively, and transported from the State of Wisconsin into the State of Maryland, and charging misbranding in violation of the food and drugs act.